

**TRANSMITTAL AND NOTICE OF APPROVAL OF
STATE PLAN MATERIAL**

FOR: HEALTH CARE FINANCING ADMINISTRATION

1. TRANSMITTAL NUMBER:

0 4 - 0 1 0

2. STATE:

Arkansas

3. PROGRAM IDENTIFICATION: TITLE XIX OF THE SOCIAL
SECURITY ACT (MEDICAID)

4. PROPOSED EFFECTIVE DATE

August 23, 2004

TO: REGIONAL ADMINISTRATOR
HEALTH CARE FINANCING ADMINISTRATION
DEPARTMENT OF HEALTH AND HUMAN SERVICES

5. TYPE OF PLAN MATERIAL (Check One):

☐ NEW STATE PLAN☐ AMENDMENT TO BE CONSIDERED AS NEW PLAN☒ AMENDMENT

COMPLETE BLOCKS 6 THRU 10 IF THIS IS AN AMENDMENT (Separate Transmittal for each amendment)

6. FEDERAL STATUTE/REGULATION CITATION:

42 CFR, Part 483, Subpart 483.350-483.376

8. PAGE NUMBER OF THE PLAN SECTION OR ATTACHMENT:

Attachment 4.11-A, Page 1
Attachment 4.11-A, Page 2

7. FEDERAL BUDGET IMPACT:

a. FFY 2004 \$ 77,352.00

★ b. FFY 2005 \$ ~~68,095.00~~ 68,063.009. PAGE NUMBER OF THE SUPERSEDED PLAN SECTION
OR ATTACHMENT (If Applicable):Same, Approved 6-20-95, TN 95-16
Same, Approved 6-20-95, TN 95-16

10. SUBJECT OF AMENDMENT:

The Arkansas Title XIX State Plan has been amended to publish enforcement procedures of federal regulations on the use of restraint and seclusion and survey activity for Psychiatric Residential Treatment Facilities (PRTFs).

11. GOVERNOR'S REVIEW (Check One):

- ☒
- GOVERNOR'S OFFICE REPORTED NO COMMENT
-
- ☐
- COMMENTS OF GOVERNOR'S OFFICE ENCLOSED
-
- ☐
- NO REPLY RECEIVED WITHIN 45 DAYS OF SUBMITTAL

☐ OTHER, AS SPECIFIED:

12. SIGNATURE OF STATE AGENCY OFFICIAL:

13. TYPED NAME:
Roy Jeffus14. TITLE:
Director, Division of Medical Services15. DATE SUBMITTED:
May 27, 2004

16. RETURN TO:

Division of Medical Services
P. O. Box 1437
Little Rock, AR 72203-1437Attention: Joie Wallis
Slot S295**FOR REGIONAL OFFICE USE ONLY**

17. DATE RECEIVED:

14 June 2004

18. DATE APPROVED:

1 SEPTEMBER 2004

PLAN APPROVED - ONE COPY ATTACHED

19. EFFECTIVE DATE OF APPROVED MATERIAL:

23 AUGUST 2004

20. SIGNATURE OF REGIONAL OFFICIAL:



21. TYPED NAME:

ANDREW A. FREDRICKSON

22. TITLE: ASSOCIATE REGIONAL ADMINISTRATOR
DIV OF MEDICAID & CHILDREN'S HEALTH

23. REMARKS:

★ Pen + Ink Change done to reflect corrections made on fax from state dated 8/24/04.

STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM
STATE ARKANSAS

ATTACHMENT 4.11-A
Page 1

STANDARDS FOR INSTITUTIONS

Revised: August 1, 2004

1. The health related standards setting authority, Arkansas Department of Health (in cooperation with the Arkansas Division of Medical Services), shall be responsible for:
 - a. Establishing and maintaining health standards for private or public institutions in which recipients of medical assistance under the State Plan receive care of services;
 - b. Establishing a plan for review by professional health personnel for appropriateness and quality of care and services furnished to recipients and where applicable, for providing guidance to Arkansas Division of Medical Services.
 - c. Performing the function of determining whether institutions and agencies meet the requirements for participation under Title XIX;
 - d. Cooperating in full with Arkansas Division of Medical Services in application of provider standards;
 - e. Promptly taking steps to insure full compliance with federal/state laws, rules and regulations and shall report the results of these efforts to the Arkansas Division of Medical Services; and
 - f. **Licensing** rehabilitative hospitals.
2. The non-health related standard setting authority Arkansas Division of Medical Services (in cooperation with the Arkansas Department of Health), shall be responsible for:

SUPERSEDES: TN- 95-16

STATE <u>Arkansas</u>	A
DATE REC'D <u>6-14-04</u>	
DATE APP'D <u>9-1-04</u>	
DATE EFF <u>8-23-04</u>	
HCFA 179 <u>04-10</u>	

STANDARDS FOR INSTITUTIONS

Revised: August 1, 2004

- a. Establishing and maintaining standards and procedures for all Long Term Care Facilities participating in the Medicaid Program (Title XIX); procedures shall be developed as follows:
 1. Establishing procedures for Utilization Control for Title XIX facilities;
 2. Establishing procedures for management of personal allowance funds for Title XIX recipients;
 3. Establishing procedures for Reasonable Cost-Related Reimbursement to Title XIX Long Term Care Facilities
- b. Providing consultation to institution providers to enable them to qualify for payments under Title XIX
- c. Recording and reporting evidence of non-compliance with federal/state laws. Repeat deficiencies will be subject to the sanctions listed in Arkansas Division of Medical Services Administrative Remedies and Sanctions (including the withholding of all or part of the monthly vendor payment). The withheld vendor payment(s) may be returned to the provider if so determined as a result of the appropriate appeal procedures specified in said regulations
- d. **The Division of Medical Services' Office of Long Term Care, is responsible for and will conduct, via a contract with APS Healthcare, validation and complaint surveys of Psychiatric Residential Treatment Facilities (PRTFs) to establish whether the facilities are in compliance with federal regulations regarding the use of restraint and seclusions.**

SUPERSEDES: TN- 95-16

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